

STATE OF NEW YORK  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INDEX/CASE #: 08 CIV.4739  
Date Filed: May 21, 2008  
Court Date:

*The Annuity, Pension, Welfare and Apprenticeship Skill Improvement & Safety Funds of the International Union of Operating Engineers Local 137, 137A, 137B, 137C & 137R, etc., et. al.,*  
vs  
*American Tree & Landscape Corp.*

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF ULSTER, SS.:

**AFFIDAVIT OF SERVICE**

George Walczak, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On July 8, 2008 at 11:03 a.m., at 178 Charles Colman Boulevard, Pawling, NY 12564, deponent served the within Summons in a Civil Case and Amended Complaint

on: American Tree & Landscape Corp., Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 ENTITY/AGENT ☒ By delivering thereat a true copy of each to Mary Bergh personally, deponent knew the person so served to be the Office Manager thereof, and said person was authorized to accept service on behalf thereof.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's [ ] actual place of business [ ] dwelling house / usual place of abode / last-known residence.

#4 AFFIXING TO DOOR ☐ By affixing a true copy thereof to the door of said premises, which is recipient's [ ] actual place of business [ ] dwelling house / usual place of abode/last-known residence. The following service attempts were made:

Address confirmation:

#5 MAIL COPY ☐ On , service was completed by mailing a true copy of above document(s) to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" from a depository under the exclusive care and custody of the United States Post Office in the State of New York. [ ] Additional mailing was also sent on same date by Certified Mail.

#6 DESCRIPTION ☒ An approximate description of the recipient (person to whom the papers were given) is as follows:  
(use with #1, 2 or 3) Sex: Female Color of skin: White Color of hair: Blonde Age: 54 Height: 4/11  
Weight: 90-110 Other Features:

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARYSRVC ☐ Deponent asked person spoken to whether the recipient is currently in the military service of the United States Government or of the State of New York and was informed that recipient is not.

#9 OTHER ☒ Signature on file

Sworn to before me on July 9, 2008

*Nicole Simmons*

NICOLE SIMMONS (#01516180797)  
Notary Public, State of New York  
Resident in and for Ulster County  
Comm. Exp. 01/22/2012

*George Walczak*  
George Walczak

Invoice•Work Order # 0809597